

Application No: 10/721,702

Response to Decision on Appeal dated December 17, 2009

Amendment and Response dated February 16, 2010

Attorney Docket No.: 792-64 DIV II

Page 2

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the subject application, and please amend the claims as follows:

Claims 1.-46. (Canceled)

Claim 47. (Withdrawn - currently amended) The endoprosthesis of claim 82 [[30]]

wherein:

the reservoir portion comprises at least one axially extending internal cavity recessed from the outer surface.

Claim 48. (Withdrawn) The endoprosthesis of claim 47 wherein:

the at least one cavity occupies a cavity volume ranging from about ten percent to about thirty percent of the total element volume.

Claim 49. (Withdrawn) The endoprosthesis of claim 47 wherein:

an average cross-sectional area of the cavity ranges from about ten percent to about thirty percent of a cross-sectional area of the elongate element.

Claim 50. (Currently amended) The endoprosthesis of claim 82 [[30]] wherein:

the volume of the reservoir portion ranges from twenty percent to about forty percent of the total element volume.

Claims 51-52. (Canceled)

Application No: 10/721,702

Response to Decision on Appeal dated December 17, 2009

Amendment and Response dated February 16, 2010

Attorney Docket No.: 792-64 DIV II

Page 3

Claim 53. (Currently amended) The endoprosthesis of claim 82 [[52]] wherein:
the ~~first and second pluralities of the~~ plurality of elongate elements are interbraided [[,]]
at the multiple crossings, form crossing angles ranging from about 120 degrees to about 150
degrees.

Claim 54. (Canceled)

Claim 55. (Currently amended) The endoprosthesis of claim 82 [[30]] wherein:
the bioabsorbable polymer consists essentially of a polymer from the group consisting of:
PLLA, PDLA, and their combinations.

Claim 56. (Currently amended) The endoprosthesis of claim 82 [[30]] wherein:
the bioabsorbable polymer consists essentially of a polymer selected from the group
consisting of: polylactide, polyglycolide, and their combinations.

Claim 57. (Currently amended) The endoprosthesis of claim 82 [[30]] wherein:
the bioabsorbable polymer consists of a polymer selected from the group consisting of:
polyglycolide, polygluconate, polydioxanone, and their combinations.

Claims 58-81 (Canceled)

Claim 82. (Previously presented) A bioabsorbable endoprosthesis comprising:
a plurality of elongate elements interbraided into a tubular, radially expandable structure,
each of the elongate elements having an outer surface, the elements including a bioabsorbable
polymer adapted to undergo degradation *in vivo*, the elements including an elongate, axially
extending reservoir portion adapted to collect a by-product of the degradation of the
bioabsorbable polymer;

Application No: 10/721,702

Response to Decision on Appeal dated December 17, 2009

Amendment and Response dated February 16, 2010

Attorney Docket No.: 792-64 DIV II

Page 4

wherein the each of the elements occupies a total element volume including a reservoir volume occupied by the at least one reservoir portion, and the reservoir volume is at least about ten percent of the total element volume;

the number of elements, N, is equal to about $(D/(0.022D + 0.17)) \pm 4$ filaments, where D, in mm, is the free state diameter of the tubular structure; and

the elongate elements have a thickness, t in mm, of about $(D/(1.8D + 15)) \pm 0.03$ mm, where D, in mm, is the free state diameter of the tubular structure.

Claim 83. (Previously presented) The endoprosthesis of claim 82 wherein:

the number of elements, N, is from about 10 to about 36 filaments.

Claim 84. (Previously presented) The endoprosthesis of claim 82 wherein:

the reservoir portion comprises at least one axially extending core open to opposite ends of the element.